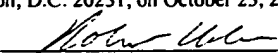




<p align="center">CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 23, 2001.</p> <p align="center"> Robert K. Cerpa</p>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re application of:</p> <p align="center">Daniel AFAR, et al.</p> <p>Serial No.: 09/323,597</p> <p>Filing Date: June 1, 1999</p> <p>For: NOVEL TUMOR ANTIGEN USEFUL IN DIAGNOSIS AND THERAPY OF PROSTATE AND COLON CANCER</p>	<p>Art Unit: Gary B. Nickol, Ph.D.</p> <p>Examiner: 1642</p>
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**PETITION TO MAKE SPECIAL FOR PATENT APPLICATION
UNDER M.P.E.P. SECTION 708.02(X) AND/OR MPEP 708.02(XII)**

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN:: Group Director, Group 1642

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Dear Sir:

MPEP 708.02(X)

1. Statement required under MPEP 708.02(X).

The present invention is directed to the identification and characterization of a gene and related proteins that are expressed in one or more cancers. Accordingly, the gene and its related proteins are used as targets for the diagnosis, prognosis, prevention, and/or treatment of cancer. As just one example, characterization of the protein encoded by the gene of the invention allows for the identification of immunogenic regions of this protein. Antibodies raised to such regions are useful in the diagnosis, prognosis, prevention, and/or treatment of cancers that express the protein.

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MPEP 708.02(XII)

1. The present application is under obligation of assignment to Agensys, Inc., a California corporation entitled to small entity status. Small entity status has been established for this application.

2. The subject of the patent application is a major asset of Agensys, Inc.

3. The development of the technology set forth in the application, which is critical to Agensys, Inc. and which is of significance to biotechnology, will be significantly impaired if examination of the patent application is delayed.

4. Explanation as required under MPEP 708.02 (XII)(c).

Agensys, Inc. is a small biotechnology company, with limited financial resources. The subject matter of the present application is important as a basis for raising funds that are necessary to support the ongoing research and development activities of Agensys, Inc. In order for investors to feel comfortable investing funds, particularly in small entity biotechnology companies, they will wish to see that important subject matter is progressing in the patent process.

Petition Fee

1. Authorization to charge the petition fee under 37 C.F.R. 1.17(h), as required under MPEP 708.02(X) or MPEP 708.02(XII), is enclosed.

Dated: October 23, 2001

By: 

Robert K. Cerpa

Registration No. 39,933

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